

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PAUL LOUGH,

Plaintiff,

v.

No. 16-cv-0338 JCH-SMV

BNSF RAILWAY COMPANY,

Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART
JOINT MOTION FOR EIGHTH EXTENSION TO SCHEDULING ORDER**

THIS MATTER is before the Court on Plaintiff's and Defendant's Joint Motion to Extend Deadlines [Doc. 74]. The Court, being fully advised, will GRANT the motion in part and DENY the motion in part. The Court will permit discovery as follows:

Termination of discovery:	September 28, 2018
Motions relating to discovery filed by: ¹	October 8, 2018
Pretrial motions other than discovery motions filed by:	October 8, 2018
Proposed Pretrial Order due from Plaintiff to Defendant by:	October 8, 2018
Proposed Pretrial Order due from Defendant to Court by: ²	October 22, 2018

¹ See D.N.M.LR-Civ. 7 for motion practice requirements and timing of responses and replies. The discovery motions deadline does not extend the 21-day time limit in D.N.M.LR-Civ. 26.6 (Party served with objection to discovery request must file motion to compel within 21 days of service of objection. Failure to file motion within 21 days constitutes acceptance of the objection.).

² The Proposed Pretrial Order must provide that no witnesses, except rebuttal witnesses whose testimony cannot be anticipated, will be permitted to testify unless the name of the witness is furnished to the Court and opposing counsel no later than 30 days prior to the time set for trial. Any exceptions thereto must be upon order of the Court for good cause shown.

Discovery shall not be reopened, nor shall case management deadlines be modified, except by an order of the Court upon a showing of good cause. Discovery must be completed on or before the discovery deadline. Accordingly, service of written discovery is timely only if the responses are due prior to the discovery deadline. A notice to take deposition is timely only if the deposition takes place prior to the discovery deadline. The pendency of dispositive motions does not stay discovery.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge